

Public consultation on the Digital Fairness Act

Factual summary report

December 2025

Disclaimer: This document should be regarded solely as a summary of the contributions made by stakeholders in the open consultation on the Digital Fairness Act. It cannot in any circumstances be regarded as the official position of the Commission or its services. Responses to the consultation activities cannot be considered as a representative sample of the views of the EU population.

1. OBJECTIVE AND METHODOLOGY

The Commission is planning to present its proposal for a Digital Fairness Act by the end of 2026.¹ This consultation had the aim of gathering citizens' and stakeholders' views on potential improvements in EU consumer law to strengthen the protection of consumers in general – and of minors as consumers in particular – in the digital environment, and to ensure a level-playing field for traders. The feedback collected will contribute to the impact assessment for the forthcoming Digital Fairness Act.

The consultation survey was published on the Have your Say platform in all EU languages. The consultation period started on 17 July 2025 and ended on 24 October 2025, lasting 14 weeks.² The target audience of the consultation was broad: businesses, including SMEs, business associations, consumers, including minors, consumer associations and associations representing minors and parents, non-governmental organisations, consumer protection authorities and other public bodies, university and research organisations and more, from EU and also non-EU countries.

The topics covered by the consultation were dark patterns; addictive design; specific features in digital products, such as video games; unfair personalisation practices; harmful practices by social media influencers; unfair marketing related to pricing; issues with digital contracts; simplification measures; and horizontal issues. In addition to answering to the questionnaire, respondents could also submit documents.

For each topic, respondents were asked whether they see a need for new EU actions. If they saw a need for EU actions for a specific topic, they were asked additional questions on specific measures. In addition to a pre-determined list of potential measures, they were given the opportunity to specify other measures.

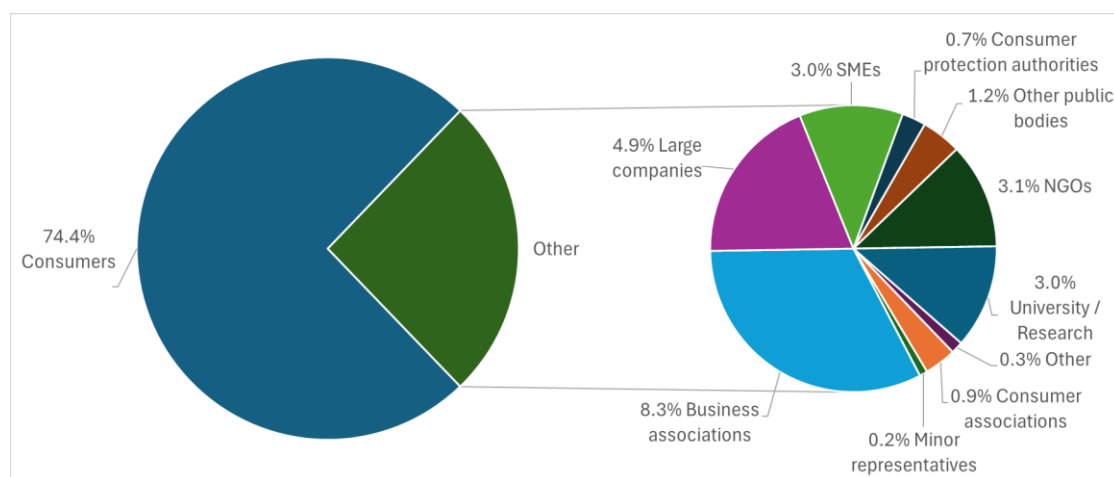
Overall, 3341 responses to the public consultation were received, 223 of them were accompanied by a position paper. Respondents who did not accept the privacy statement (7) and duplicate submissions (7) were removed during the data cleaning. In addition to the public consultation analysed in this document, a separate Call for Evidence received 4325 responses.

One large campaign was identified across both open-field and closed questions, involving 1,594 responses, all from consumers. The campaign is analysed separately in section 4 and the responses submitted as part of the campaign are not part of the general analysis in sections 2 and 3.

2. OVERVIEW OF RESPONDENTS

In total, outside of the campaign, 1,733 responses were received from a variety of stakeholder groups. The majority (74%, 1289 out of 1733) of respondents were consumers, followed by business associations (8%, 144 out of 1733) and large companies (5%, 85 out of 1733). The distribution of the responses by stakeholder group can be found in Figure 1.

Figure 1: Type of stakeholders (percentage)

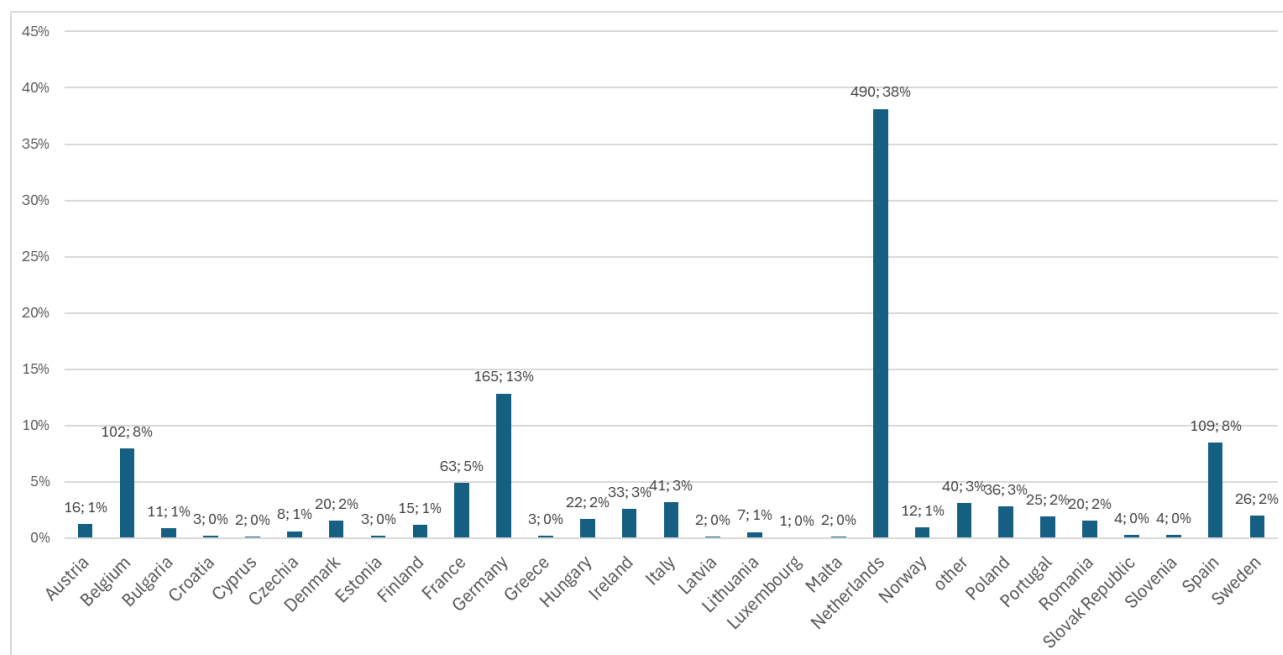


¹ [Commission work programme 2026, COM\(2025\) 870 final](#)

² All linguistic versions of the questionnaire in the 24 official EU languages were available for 12 weeks, as of 1 August 2025.

In the questionnaire, consumers were asked about their country of residence (1285 responses to this question). A majority of responding consumers resides in the Netherlands (38%, 490 out of 1285), followed by Germany (13%, 165 out of 1285), Spain (8%, 109 out of 1285) and Belgium (8%, 102 out of 1285). A total of 52 consumers answered from non-EU countries, with 12 from Norway and 40 from others.

Figure 2 : Country of residence (absolute numbers, percentages)



Consumers provided information about the age category to which they belong. Most commonly, they are in the age category of 30-65 years (53%, 675 out of 1285), followed by 18-29 (27%, 346 out of 1285), and above 65 (19%, 244 out of 1285).

Participating stakeholders who are not consumers were asked about their country of establishment. The submissions received from such stakeholders covered 24 Member States and several non-EU countries, with the largest shares coming from Belgium (19%, 86 out of 444), Germany (14%, 63 out of 444), France (9%, 39 out of 444) and Spain (9%, 39 out of 444). A total of 40 submissions indicated ‘other’, which includes 18 from the UK and 14 from the United States. Business associations, businesses, and NGOs were asked about the sector they operate in and their main activity. The most mentioned sectors were commerce, information technology and the media sector. The most mentioned main activities were provision of services, provision of digital content, and online platforms.

3. RESULTS OF THE PUBLIC CONSULTATION³

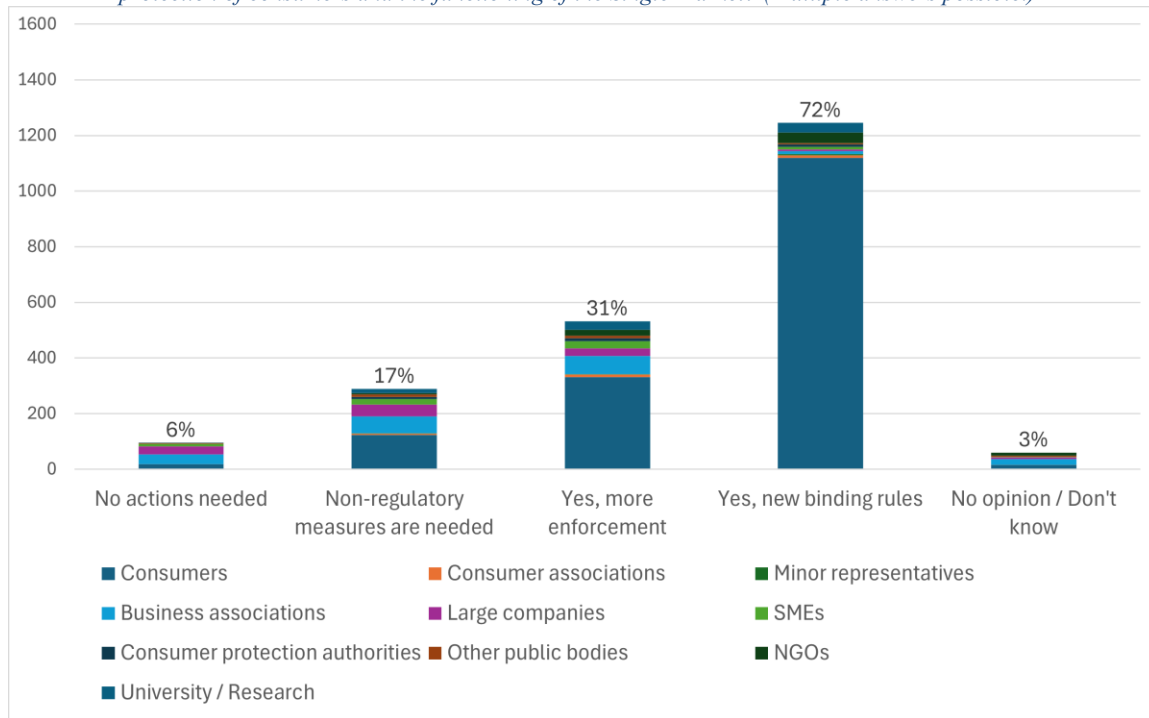
3.1. Dark patterns

3.1.1. Need for EU action

Respondents were asked whether they think any new EU action should be taken to improve the protection of consumers and the functioning of the Single Market concerning dark patterns. Multiple replies were possible. 72% of respondents (1247 out of 1733) support new binding rules, followed by more effective enforcement (31%, 536 out of 1733) and non-regulatory measures (17%, 291 out of 1733). Some respondents thought no actions were needed (6%, 97 out of 1733) and only few respondents had no opinion or did not know (3%, 60 out of 1733).

³ In this section, some responses are presented in an aggregated way for all respondents. As consumers represent a substantial majority of the respondents, their responses influence the overall results accordingly. There are variations in the positions of the various stakeholder groups, which, when not visible in the accompanying graphs, are illustrated by some examples.

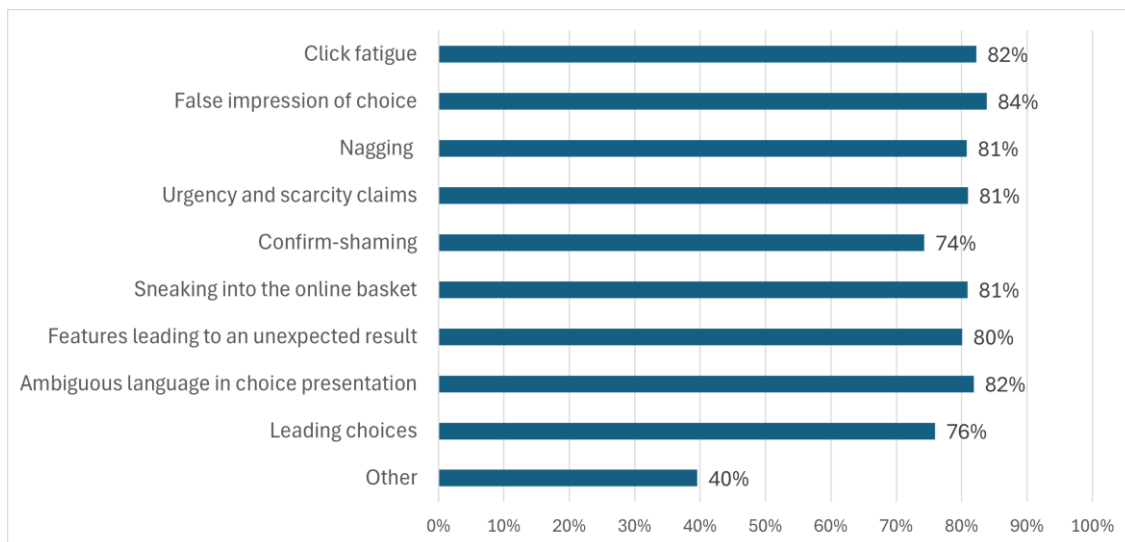
Figure 3: answers to the question: “Concerning dark patterns, do you think any new EU actions should be taken to improve the protection of consumers and the functioning of the Single Market? (Multiple answers possible.)”



3.1.2. Concerning practices requiring EU action

Respondents who believe EU action on dark patterns is needed were asked to select from a list the practices which they consider to be a concern and require new EU action (1576 responses). The support ranges from 74% (1171 out of 1576, ‘confirm-shaming’) to 84% (1321 out of 1576, ‘false impression of choice’). 40% of respondents (624 out of 1576) selected “other”.

Figure 4: Overview of answers to the question: “Please select from the list below the practices you consider to be a concern and require new EU action? (Multiple answers possible.)”(dark patterns)



Among respondents who are supporting EU actions from the various stakeholder groups, a majority of consumers, ranging from 82% (1033 out of 1256) to 93% (1174 out of 1256), and consumer organisations, ranging from 60% (9 out of 15) to 93% (14 out of 15), consider that all of the listed practices require new EU action. A majority of consumer authorities also supported EU action with regard to most dark patterns. Large companies show low support, ranging from 14% (7 out of 50) to 22% (11 out of 50), for EU action in relation to the listed dark patterns.

Support amongst SMEs was significantly higher than amongst large companies, ranging from 32% (13 out of 41) to 73% (30 out of 41).

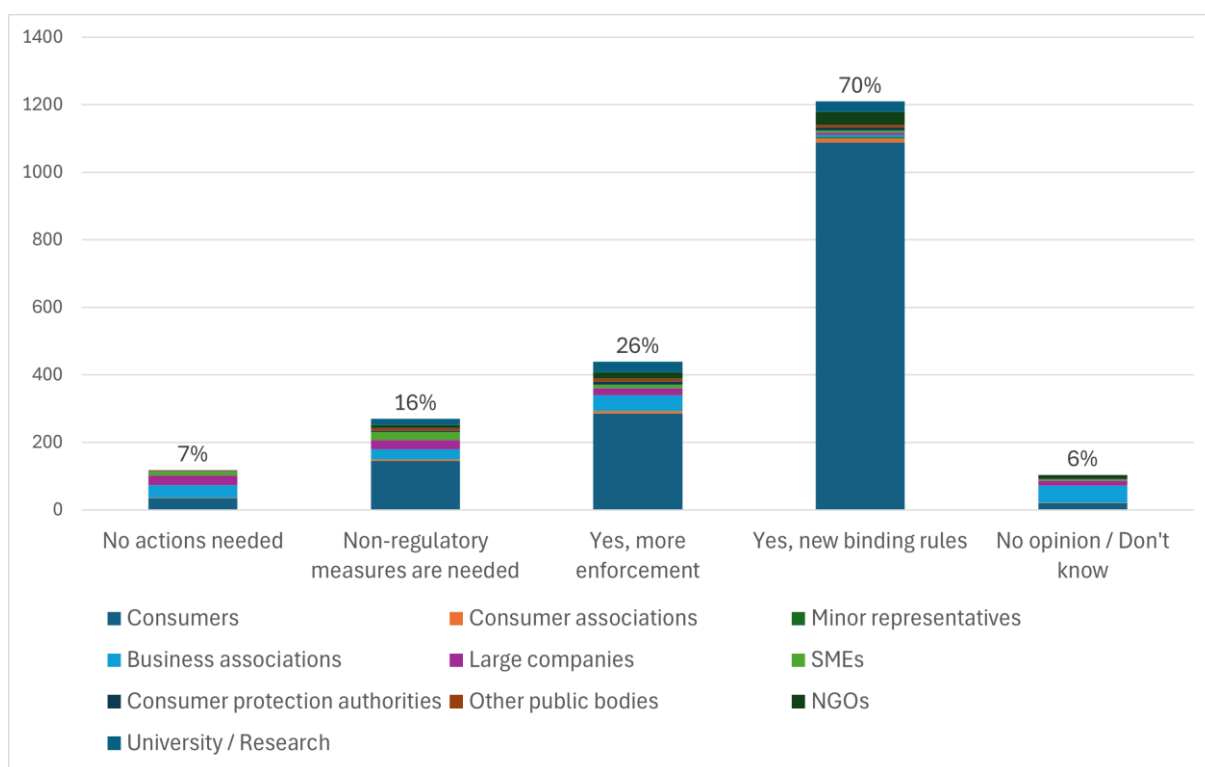
In response to the open-field questions, some respondents to the public consultation suggested also addressing other types of dark pattern(s). Others considered that such practices are already sufficiently regulated. Among those supporting new binding rules, several ask for an outright ban of all forms of dark patterns.

3.2. Addictive design

3.2.1. Need for EU action

Respondents were asked whether, concerning addictive design features, any new EU actions should be taken to improve the protection of consumers and the functioning of the Single Market. A large share of respondents think that new binding rules are needed (70%, 1213 out of 1733). 26% (442 out of 1733) of respondents see the need for more effective enforcement of the existing rules and 16% (272 out of 1733) think that non-regulatory measures are needed. A share of 7% of respondents (120 out of 1733) think that no action is needed. A total of 6% (104 out of 1733) expressed no opinion.

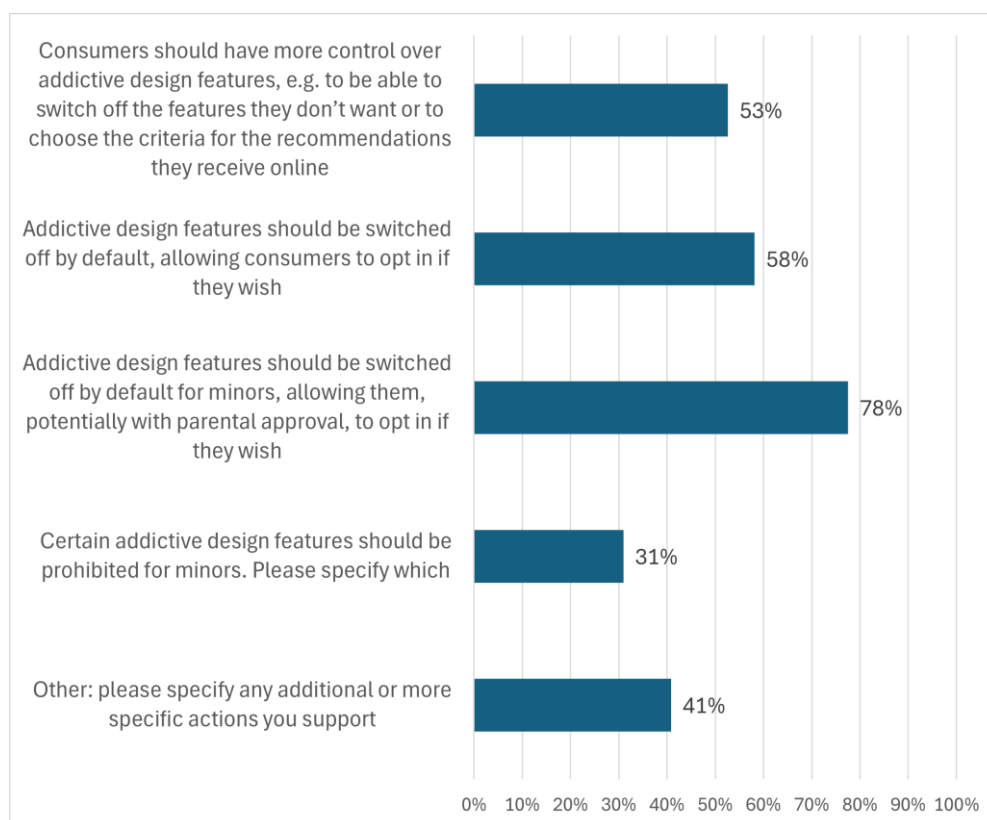
Figure 5: Overview of answers to the question: “Concerning addictive design, do you think any new EU actions should be taken to improve the protection of consumers and the functioning of the Single Market? (Multiple answers possible.)”



3.2.2. Support for actions to address the issues

Respondents who had stated that new EU action concerning addictive design was needed were asked to select from a list the actions they support (1509 responses). A majority of them support most of the measures: addictive design features should be switched off by default for minors (78%, 1170 out of 1509), addictive design features should be switched off by default, allowing consumers to opt in if they wish (58%, 877 out of 1509), and consumers should have more control over addictive design features (53%, 794 out of 1509). 31% (467 out of 1509) supported the option that certain addictive design features should be prohibited for minors.

Figure 6: Overview of answers to the question: “Please select the actions you support: (Multiple answers possible)” (addictive design)



Among respondents who are supporting EU actions from the various stakeholder groups, the majority of consumers (53%-86%, 657-1064 out of 1233), support the possible measures, with the exception of the prohibition of addictive design features for minors which was supported by 31% of them (385 out of 1233). The measures are also supported by a majority of consumer associations (57%-64%, 8-9 out of 14) and consumer protection authorities (45%-64%, 5-7 out of 11). Large enterprises and business associations' support rates range between 15%-32% (6-13 out of 41) and 12%-18% (7-10 out of 57) respectively, while SMEs are more favourable towards the presented measures (21%-47%, 8-18 out of 38).

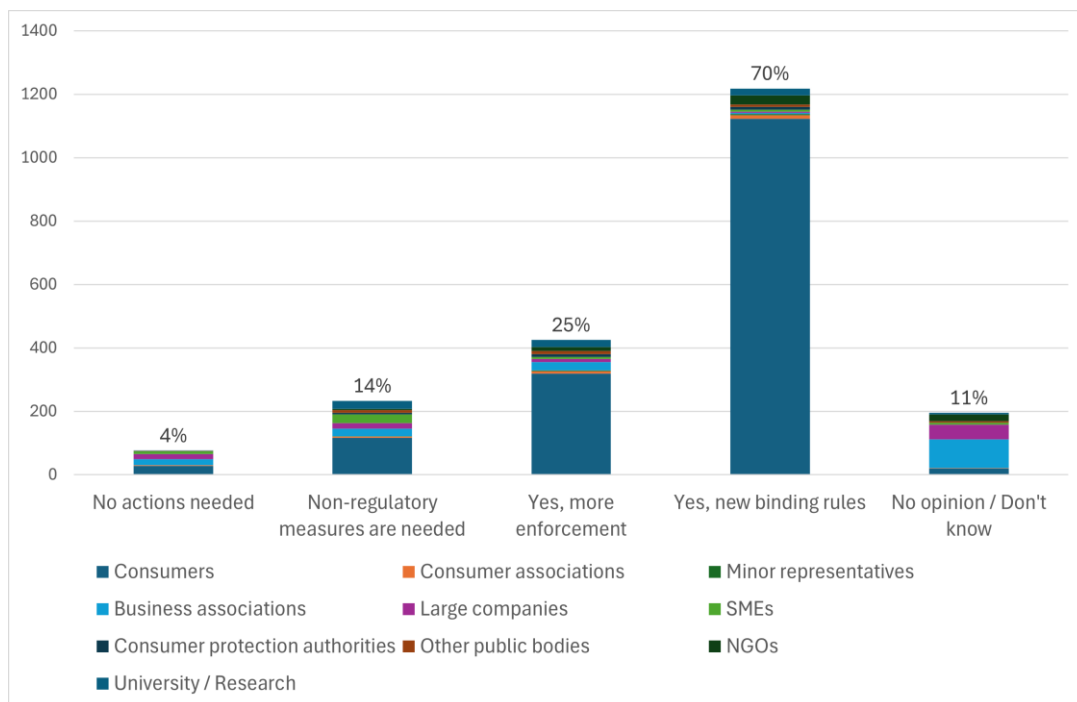
41% of respondents who believe EU action is needed on this issue (616 out of 1509) also selected “other” actions they support concerning addictive design. Answers included a broad range of additional actions, from clarifying concepts in the current law, to a universal ban on all addictive design features.

3.3. Specific features in digital products, such as in video games

3.3.1. Need for EU action

Respondents to the public consultation were asked whether, concerning specific features in digital products, such as video games, they think that any new EU actions should be taken to improve the protection of consumers and the harmonisation in the Single Market. A share of 70% of respondents (1220 out of 1733) think that new binding rules are needed. A quarter (25%, 430 out of 1733) see the need for more enforcement and 14% (236 out of 1733) think that more effective enforcement of the current legislation is needed. A share of 4% (76 out of 1733) think that no action is needed. The answer ‘don't know’/‘no opinion’ was provided by 11% (196 out of 1733).

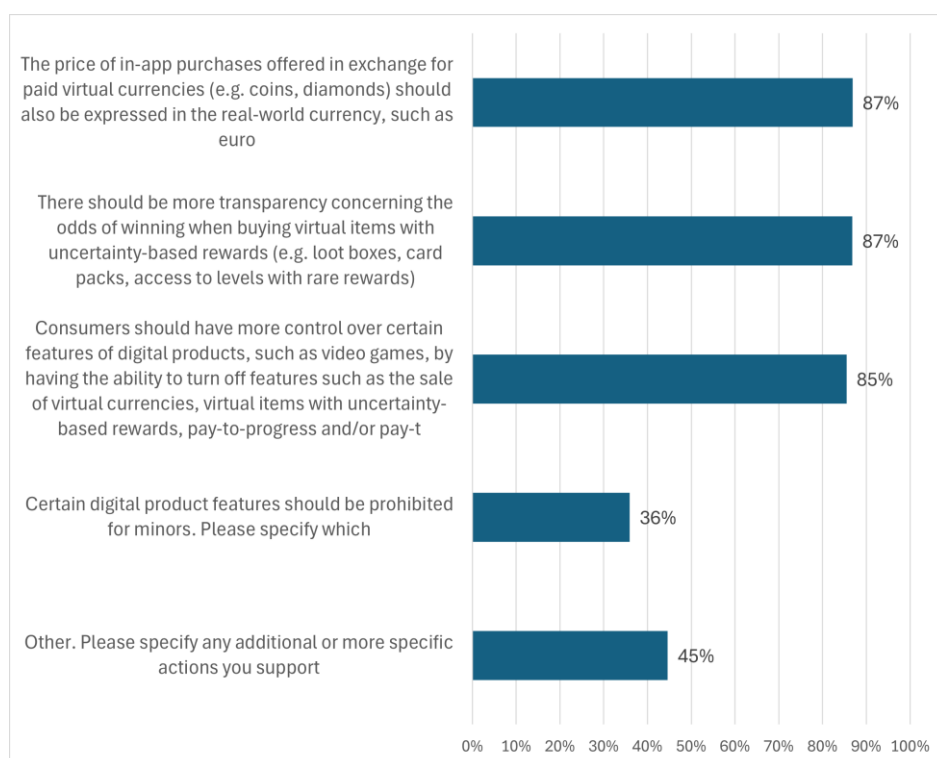
Figure 7: Overview of answers to the question: “Concerning specific features in digital products, such as video games, do you think that any new EU actions should be taken to improve the protection of consumers and the harmonisation in the Single Market? (Multiple answers possible)”



3.3.2. Support for actions to address the issues

Respondents who believe EU action is needed on this issue were asked to select the actions they support from a list (1461 responses). A large majority of them, ranging from 85% (1249 out of 1461) to 87% (1269 out of 1461), support the listed actions, except for the action ‘Certain digital product features should be prohibited for minors’ supported by 36% of respondents (525 out of 1461).

Figure 8: Overview of answers to the question: “Please select the actions you support: (Multiple answers possible)” (specific features in digital products)



Among respondents who are supporting EU actions from the various stakeholder groups, consumers (between 92%-93%, 1135-1153 out of 1240), consumer associations (between 85% and 100%, 11-13 out of 13) and consumer protection authorities (between 42% and 67%, 5-8 out of 12) support most measures. The support shown by consumers and consumer associations is lower for a prohibition of certain features for minors (35% and 46% respectively). Minors' representatives supported all measures. Support for the measures is low among large companies (18%-36%, 4-8 out of 22) and business associations (between 17% and 23%, 6-8 out of 35), with SMEs exhibiting the highest support rates (26%-42%, 10-16 out of 38).

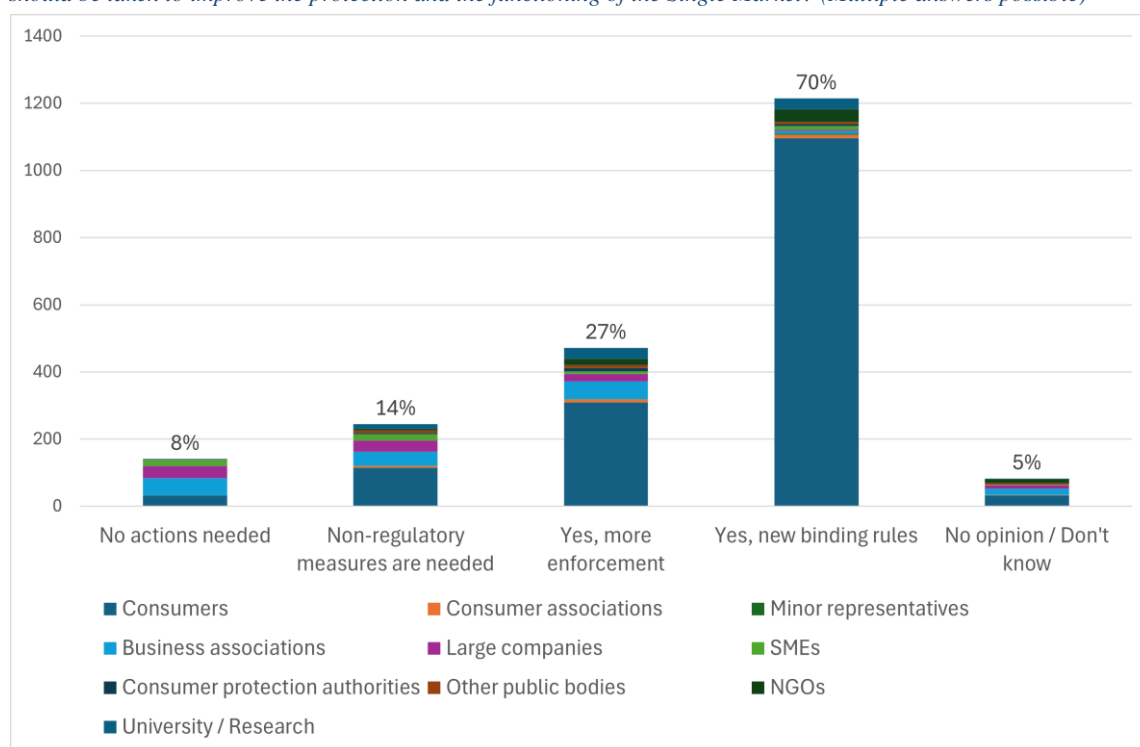
45% of respondents who believe EU action is needed on this issue (652 out of 1461) also selected "other" actions they support. Several consumers refer to ensuring continued access to video games after they have been purchased and issues of ownership of digital products. Other points raised concerned restrictions for in-game currencies, pay-to-win mechanisms, and access to in-game purchases for minors. Business associations focus on the industry and self-regulation and the effective enforcement of the existing legislation.

3.4. Unfair personalisation practices

3.4.1. Need for EU action

Respondents were asked concerning unfair personalisation practices, whether they think that any new EU actions should be taken to improve the protection and the functioning of the Single Market. A large majority of respondents thinks that new binding rules are needed (70%, 1217 out of 1733). Around 1 in 4 think that more effective enforcement of the existing legislation is needed (27%, 474 out of 1733) and 14% (247 out of 1733) see the need for non-regulatory measures. Fewer than 1 in 10 respondents to the public consultation stated that no action is needed (8%, 143 out of 1733). A share of 5% (83 out of 1733) expressed no opinion.

Figure 9: Overview of answers to the question: "Concerning unfair personalisation practices, do you think that any new EU actions should be taken to improve the protection and the functioning of the Single Market? (Multiple answers possible)"

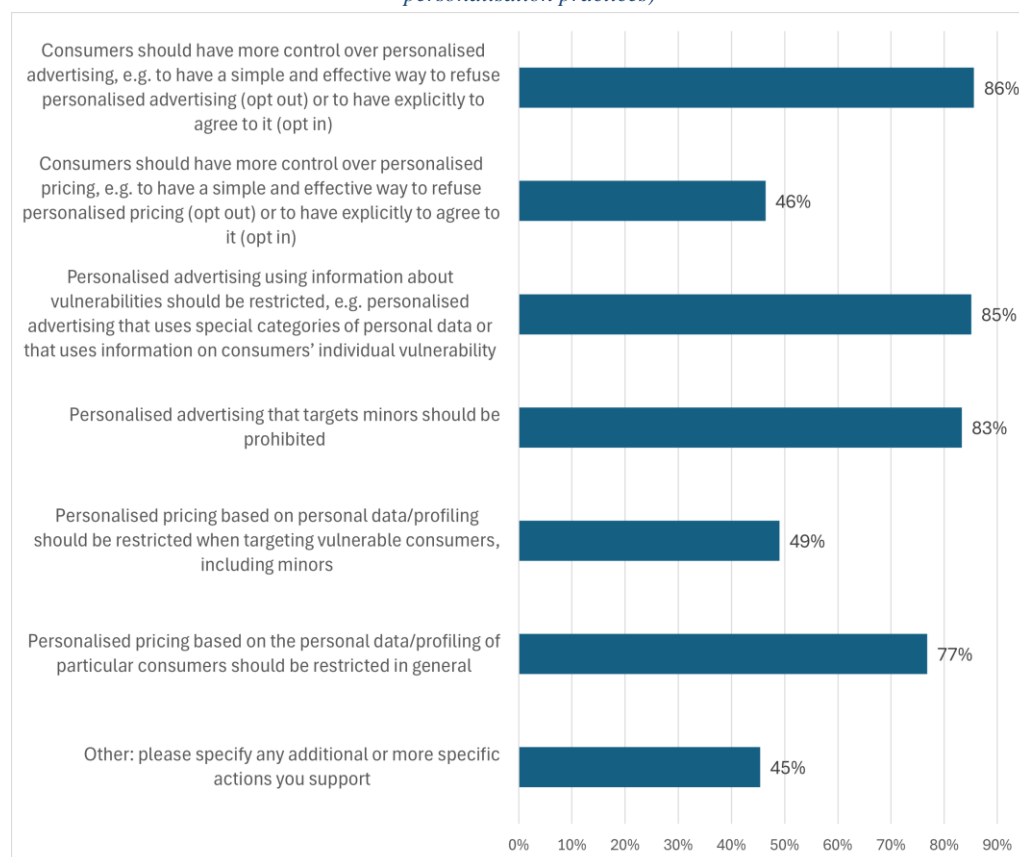


3.4.2. Support for actions to address the issues

Respondents who previously answered that EU action is needed were asked to select actions that they support from a list (1507 responses). There is high support for four of the listed actions: consumers should have more control over personalised advertising (86%, 1290 out of 1507), personalised advertising using information about vulnerabilities should be restricted (85%, 1282 out of 1507), personalised advertising that targets minors should be prohibited (83%, 1255 out of 1507), and personalised pricing based on the personal data/profiling of particular consumers should be restricted in general (77%, 1157 out of 1507). The support is lower when it comes to the

other two listed actions: consumers should have more control over personalised pricing (46%, 699 out of 1507), and personalised pricing based on personal data/profiling should be restricted when targeting vulnerable consumers, including minors (49%, 739 out of 1507).

Figure 10: Overview of answers to the question: “Please select the actions you support: (Multiple answers possible)” (unfair personalisation practices)



Among respondents who are supporting EU actions from the various stakeholder groups, consumers support in particular more control for consumers over personalised advertising (94%, 1148 out of 1224), restrictions on personalised advertising using information about vulnerabilities (93%, 1140 out of 1224), a prohibition of personalised advertising targeting minors (92%, 1132 out of 1224) and a general restriction of personalised pricing based on personal data/profiling (87%, 1069 out of 1224).

Consumer associations and consumer protection authorities support these measures as well, except for a general restriction on personalised pricing based on personal data/profiling (47%, 7 out of 15 consumer associations, 33%, 4 out of 12 consumer protection authorities) and a restriction of personalised pricing based on personal data/profiling targeting vulnerable consumers, including minors (47%, 7 out of 15 consumer associations, and 42%, 5 out of 12 consumer protection authorities).

Business associations (10%-19%, 7-14 out of 73) and large companies (5%-20%, 2-8 out of 40) show low support for the measures. SMEs support is higher (21%-58%, 7-19 out of 33). NGOs and university / research institutions support in particular giving consumers more control over personalised advertising (80%, 33 out of 41 / 83%, 40 out of 48) and restrictions on advertising using vulnerabilities (85%, 35 out of 41 / 88%, 42 out of 48).

45% of respondents who believe EU action is needed on this issue (684 out of 1507) also selected “other” actions they support. Several consumers call for a complete ban of personalisation practices based upon tracking, with some referring specifically to pricing practices. Business associations and large companies refer to the existing legislation which they consider as comprehensive and caution against additional regulation.

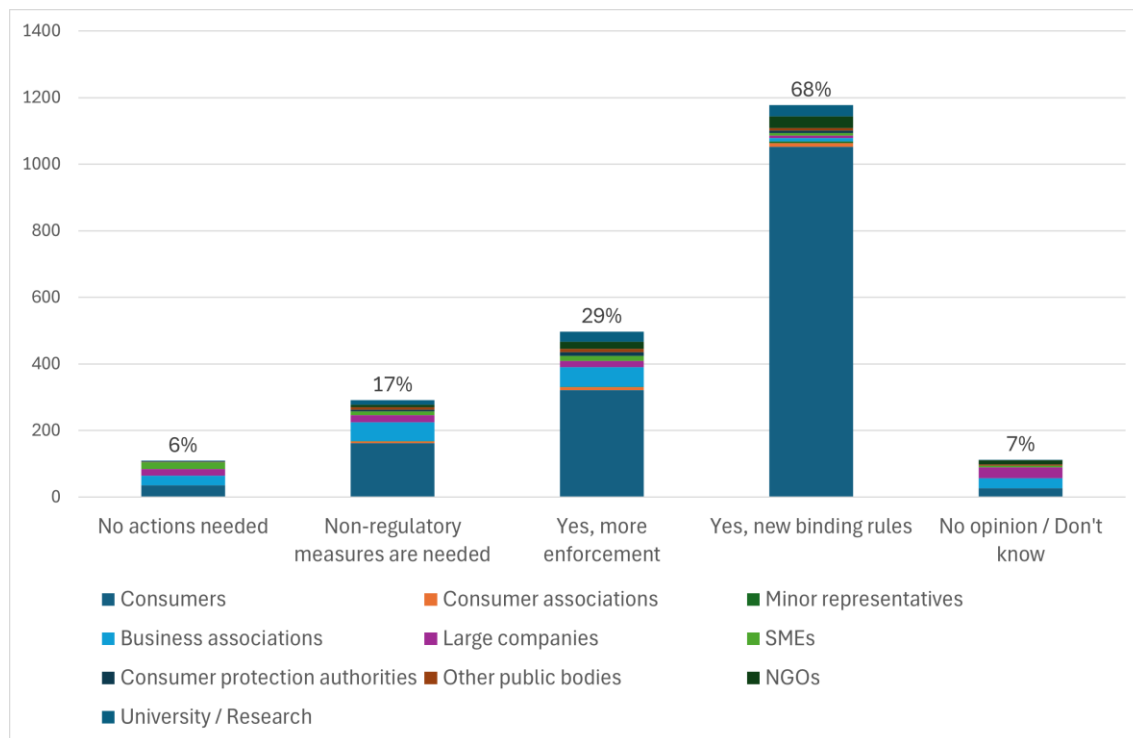
3.5. Harmful practices by influencers

3.5.1. Need for EU action

Respondents to the public consultation were asked whether they think that any new EU actions should be taken to improve the protection of consumers and the functioning of the Single Market concerning unfair influencer

marketing. Around two thirds of respondents (68%, 1179 out of 1733) think that new binding rules are needed. A share of 29% (500 out of 1733) see the need for more effective enforcement of the existing rules and a share of 17% (294 out of 1733) see the need for non-regulatory measures on this issue. A share of 6% (110 out of 1733) think that no actions are needed and 7% (113 out of 1733) express no opinion.

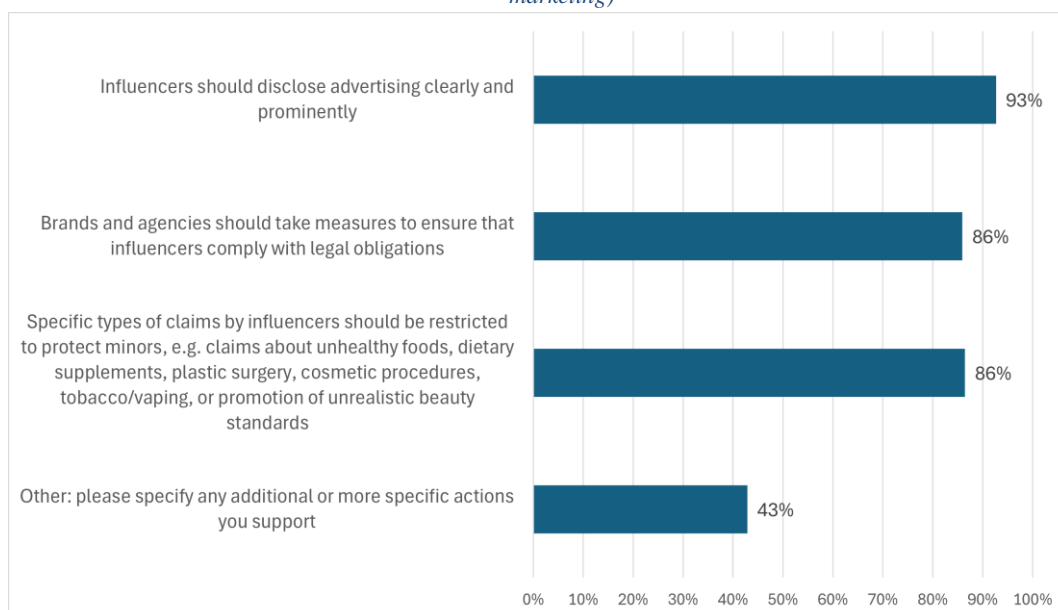
Figure 11: Overview of answers to the question: “Concerning unfair influencer marketing, do you think that any new EU actions should be taken to improve the protection of consumers and the functioning of the Single Market? (Multiple answers possible)”



3.5.2. Support for actions to address the issues

Those who answered that new EU action is needed were asked to select actions they support from a list (1510 responses). There is large support for the three listed measures among the respondents, ranging from 86% (1297 out of 1510) to 93% (1399 out of 1510).

Figure 12 : Overview of answers to the question: “Please select the actions you support: (Multiple answers possible)” (unfair influencer marketing)



Among respondents who are supporting EU actions, almost all main stakeholder groups show strong support for the measures, with some variations: consumers (93%-96%, 1137-1181 out of 1226), consumer associations (81%-94%, 13-15 out of 16), minors' representatives (75%-100%, 3-4 out of 4), SMEs (64%-93%, 18-26 out of 28), consumer protection authorities (50%-75%, 6-9 out of 12), large companies (45%-82%, 15-27 out of 33) and business associations (14%-55%, 12-47 out of 85).

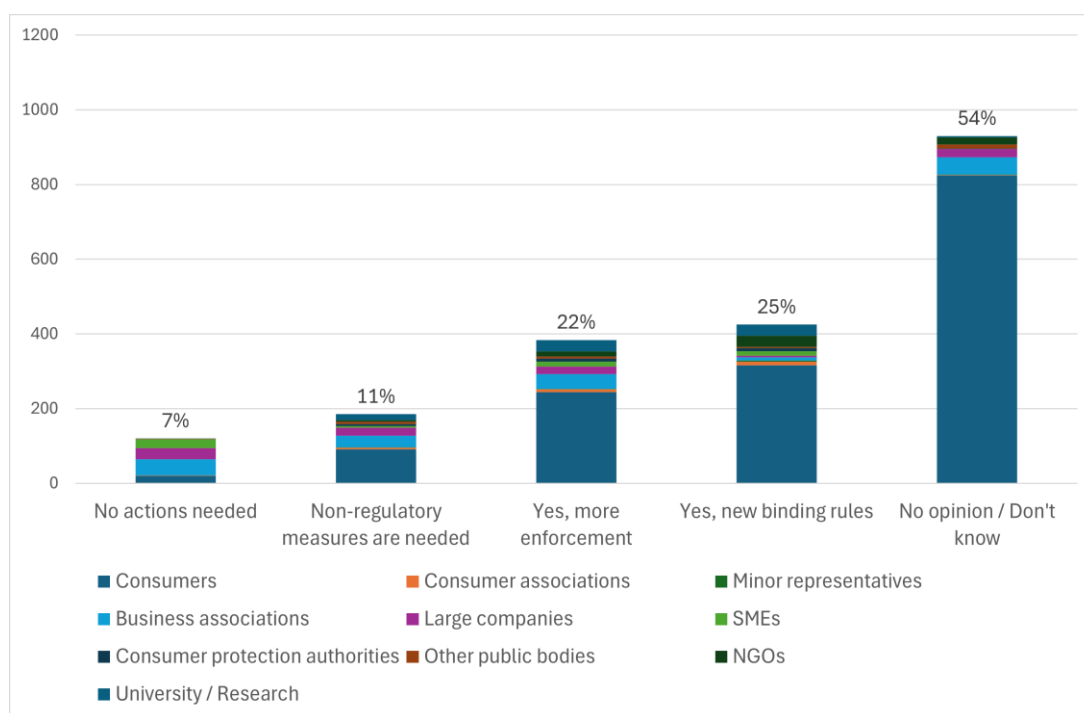
43% of respondents who believe EU action is needed on this issue (647 out of 1510) also selected "other" actions they support. Business associations highlight the existing legal framework which they consider as sufficient and some ask for the development of additional guidelines for influencer marketing at EU level. Consumers ask for protection against harmful or false content, the promotion of harmful products, and scams by influencers. Public bodies put a focus on clarification of the existing legislation and better enforcement.

3.6. Unfair pricing-related marketing

3.6.1. Need for EU action

Concerning unfair marketing related to pricing, respondents to the public consultation were asked whether they think that any new EU actions should be taken to improve the protection of consumers and the functioning of the Single Market. A quarter of respondents (25%, 427 out of 1733) stated that new binding rules are needed. A similar share (22%, 387 out of 1733) state the more effective enforcement of the existing rules is needed. A share of 11% (188 out of 1733) see a need for non-regulatory measures, while 7% (122 out of 1733) of the respondents to the public consultation think that no action is needed. A considerable share of respondents (54%, 930 out of 1733), stated that they do not know or have no opinion on this issue.

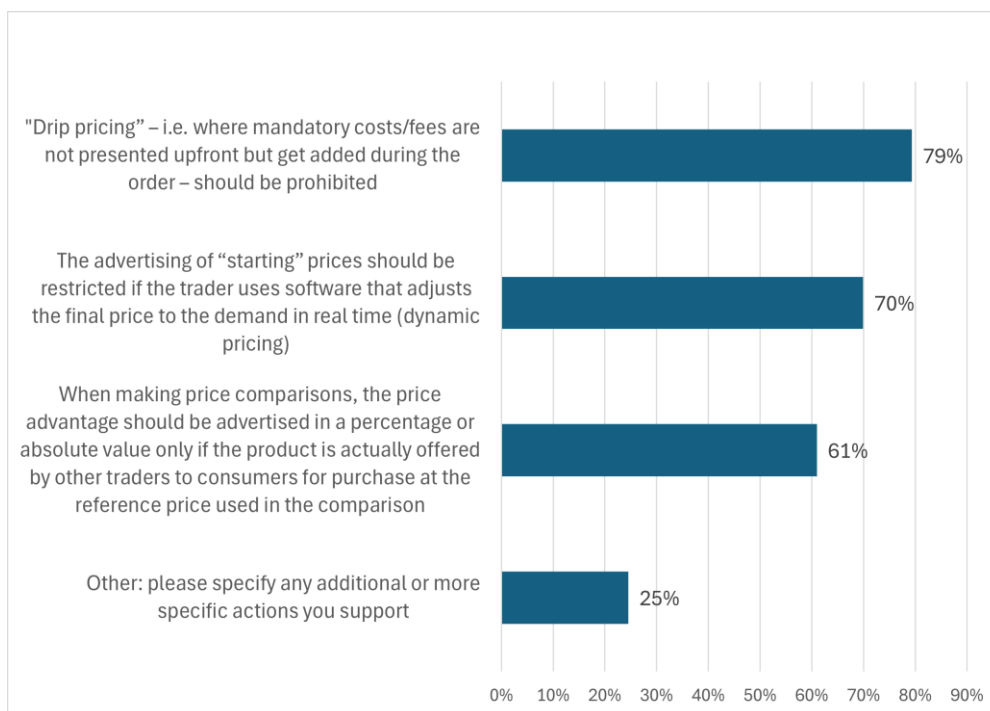
Figure 13: Overview of answers to the question: "Concerning unfair marketing related to pricing, do you think that any new EU actions should be taken to improve the protection of consumers and the functioning of the Single Market? (Multiple answers possible)"



3.6.2. Support for actions to address the issues

Respondents who stated that EU action is needed were asked to select actions they support from a list (681 respondents). A majority of them supports each of the listed measures: prohibition of drip pricing (79%, 540 out of 681), restricting the use of "starting from" prices (70%, 476 out of 681), and restrictions on the use of price comparisons (61%, 415 out of 681).

Figure 14: Overview of answers to the question: “Please select the actions you support: (Multiple answers possible)” (Unfair marketing related to pricing)



Among respondents who are supporting EU actions from the various stakeholder groups, consumers (72%-91%, 319-403 out of 444), minors’ representatives (100%, 3 out of 3), consumer associations (86%, 12 out of 14, with the exception of the measure on price comparisons – 36%, 5 out of 14) show very strong support for the measures. Consumer protection authorities are also supportive (45%-73%, 5-8 out of 11), as are SMEs (44%-67%, 12-18 out of 27). Large enterprises and business associations show the lowest support rates (18%, 6 out of 33, and 9%-20%, 5-11 out of 55, respectively).

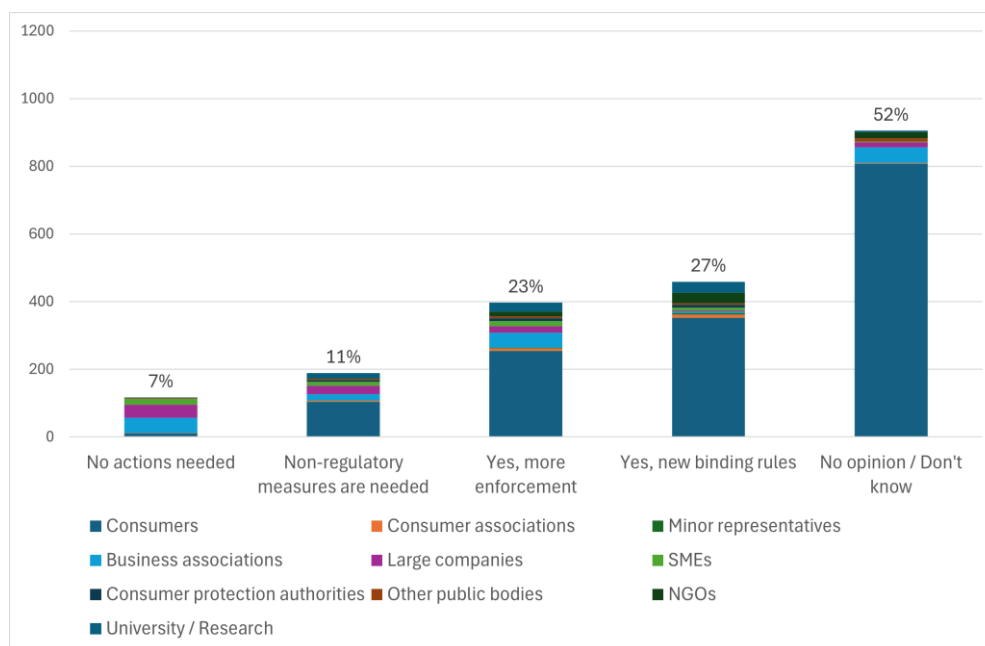
25% of respondents who believe EU action is needed on this issue (167 out of 681) also selected “other” actions they support. Consumers ask for more transparency in pricing. Several ask for a ban of dynamic pricing. Business associations caution against additional legislation and call for better guidance and stronger enforcement of existing rules.

3.7. Issues with digital contracts

3.7.1. Need for EU action

Respondents were asked whether, considering issues with digital contracts, they think that any new EU actions should be taken to improve the protection of consumers and the functioning of the Single Market. A share of 27% (462 out of 1733) see the need for new binding rules, 23% (401 out of 1733) for more effective enforcement, and 11% (190 out of 1733) for non-regulatory measures. Less than 1 in 10 (7%, 119 out of 1733) think that no action is needed. More than half of respondents (52%, 905 out of 1733) stated that they do not know or have no opinion on this issue.

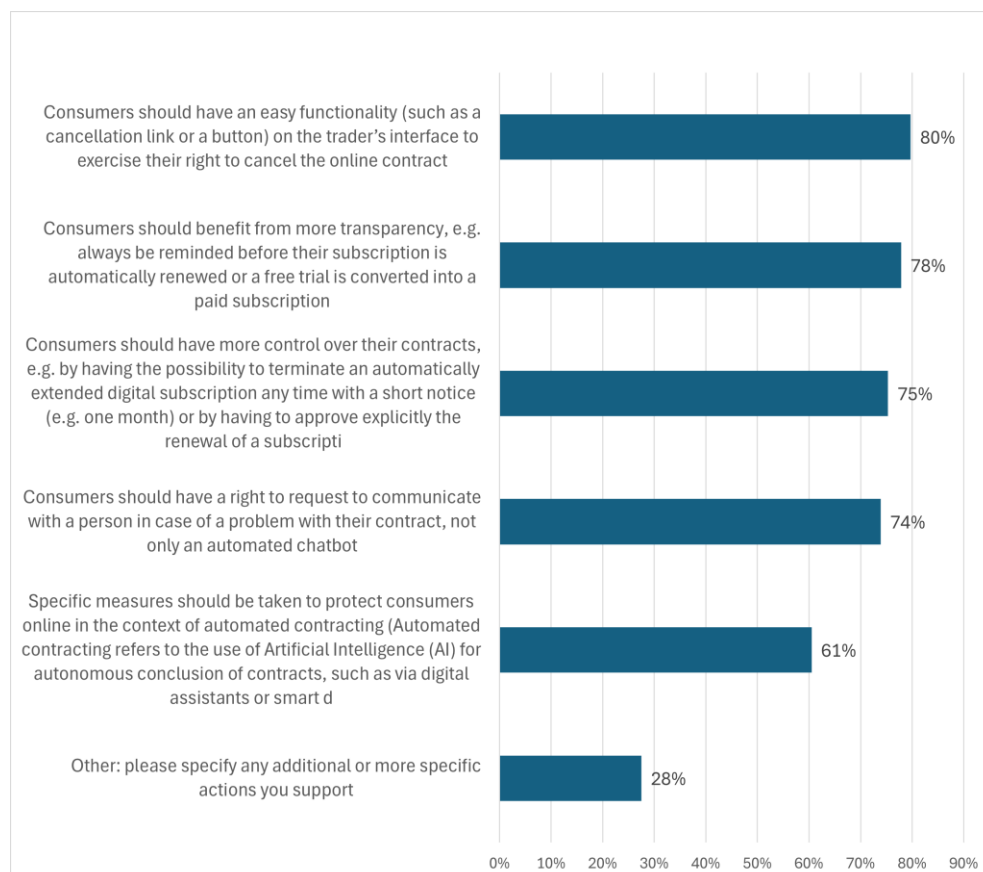
Figure 15: Overview of answers to the question: “Considering issues with digital contracts, do you think that any new EU actions should be taken to improve the protection of consumers and the functioning of the Single Market?”



3.7.2. Support for actions to address the issues

Respondents who stated that EU action is needed concerning issues with digital contracts were asked to select actions they support from a list (709 responses). Those who replied, express support for all the listed measures (from 61% (429 out of 709) to 80% (565 out of 709)).

Figure 16: Overview of answers to the question: “Please select the actions you support: (Multiple answers possible)” (issues with digital contracts)



Among respondents who are supporting EU actions from the various stakeholder groups, consumers (between 68% and 91%, 317-429 out of 469), consumer associations (between 62% and 77%, 8-10 out of 13), minors' representatives (100%, 4 out of 4), consumer protection authorities (50% to 75%, 6-9 out of 12) and SMEs (between 69% and 84%, 22-27 out of 32) strongly support all the measures. The exception on the side of SMEs are specific measures on automated contracting, which would be supported by only 41% (13 out of 32) of SMEs. Large companies and business associations show rates of support ranging between 11% and 22%.

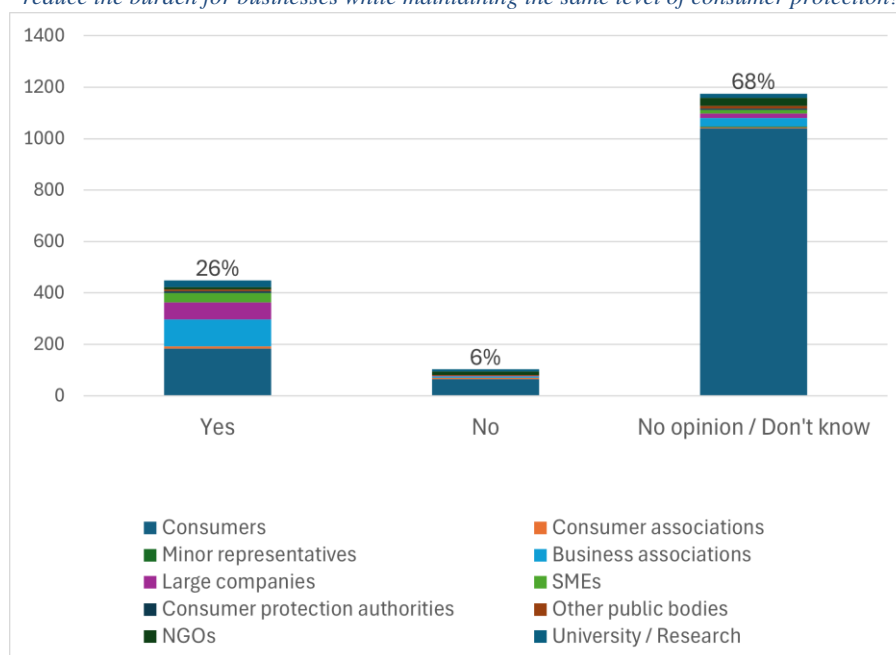
28% of respondents who believe EU action is needed on this issue (195 out of 709) also selected "other" actions they support. Answers from business associations and businesses to this question often caution against additional legislation and a one-size fits-all approach to legislating digital contracts. Several answers from consumers, consumer associations, and NGOs highlight problems with automatic renewals and ask for the introduction of an easy cancellation button.

3.8. Simplification measures

3.8.1. Possibility to simplify

Respondents were asked whether, in their view, there are any concrete measures to simplify consumer laws that could reduce the burden for businesses while maintaining the same level of consumer protection. Just above a quarter of respondents agreed with this (26%, 453 out of 1733), with higher agreement among respondents from large companies, business associations, and SMEs. A share of 6% (104 out of 1733) disagreed. Over two thirds (68%, 1176 out of 1733) stated that they do not know or have no opinion on this issue.

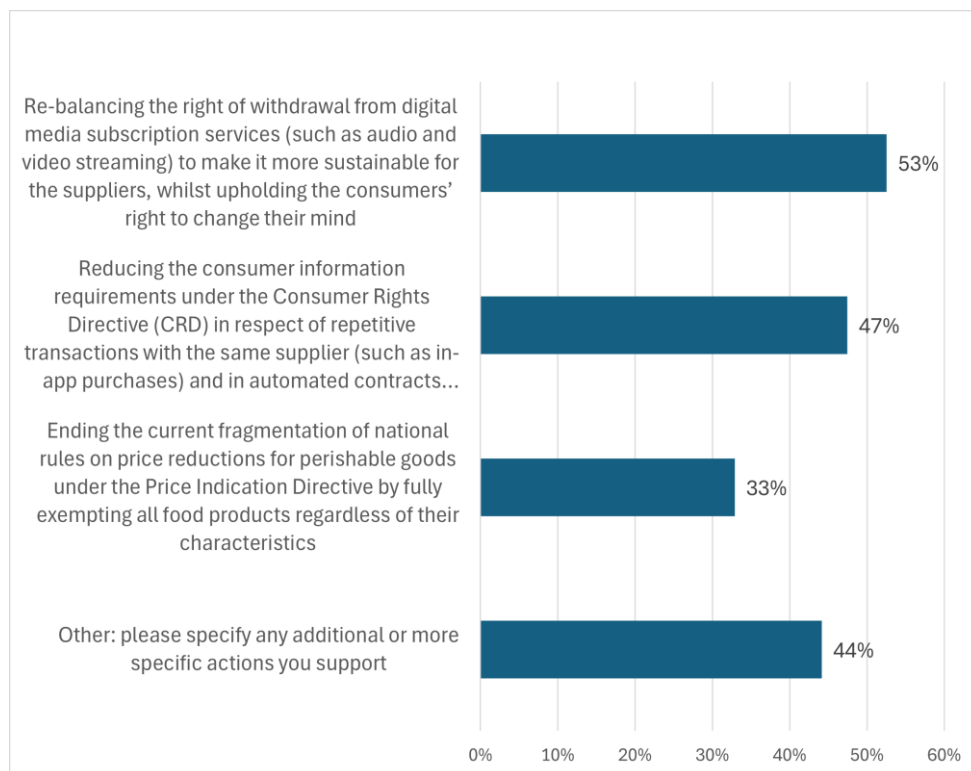
Figure 17: Overview of answers to the question: "In your view, are there any concrete measures to simplify consumer laws that could reduce the burden for businesses while maintaining the same level of consumer protection?"



3.8.2. Appropriate simplification measures

Those who had answered 'yes' were asked to select the simplification measures they deem appropriate from a list (453 responses). A majority of those who answered this question (53%, 238 out of 453) supported re-balancing the right of withdrawal from digital media subscription services. Reducing the consumer information requirements under the Consumer Rights Directive (CRD) in respect of repetitive transactions was supported by 47% (215 out of 453). Support was slightly lower for ending the current fragmentation of national rules on price reductions for perishable goods. A third of those who answered this question selected this option (33%, 149 out of 453).

Figure 18: Overview of answers to the question: “Please select the simplification measures you deem appropriate: (Multiple answers possible)”



A majority of consumers who answered this question support all measures (51%-66%, 93-122 out of 184). Consumer associations supported most the rebalancing of the right of withdrawal from digital media subscription services (50%, 4 out of 8) and ending the fragmentation on price reduction rules for perishable goods (38%, 3 out of 8), which was also supported by consumer authorities (43%, 3 out of 7). Businesses support simplification measures significantly more than other measures in the public consultation. Companies support in particular the reduction of information requirements under the CRD (42% of large companies, 28 out of 66; 43% of SMEs, 16 out of 37) and the rebalancing of the right of withdrawal (36% of large companies, 24 out of 66; 73% of SMEs, 27 out of 37). Business associations also support the reduction of information requirements under the CRD (44%, 46 out of 105) and the rebalancing of the right of withdrawal (30%, 31 out of 105). Ending the fragmentation on price reduction rules for perishable goods is supported by 16% of companies (16 out of 103) and 21% of business associations (22 out of 105).

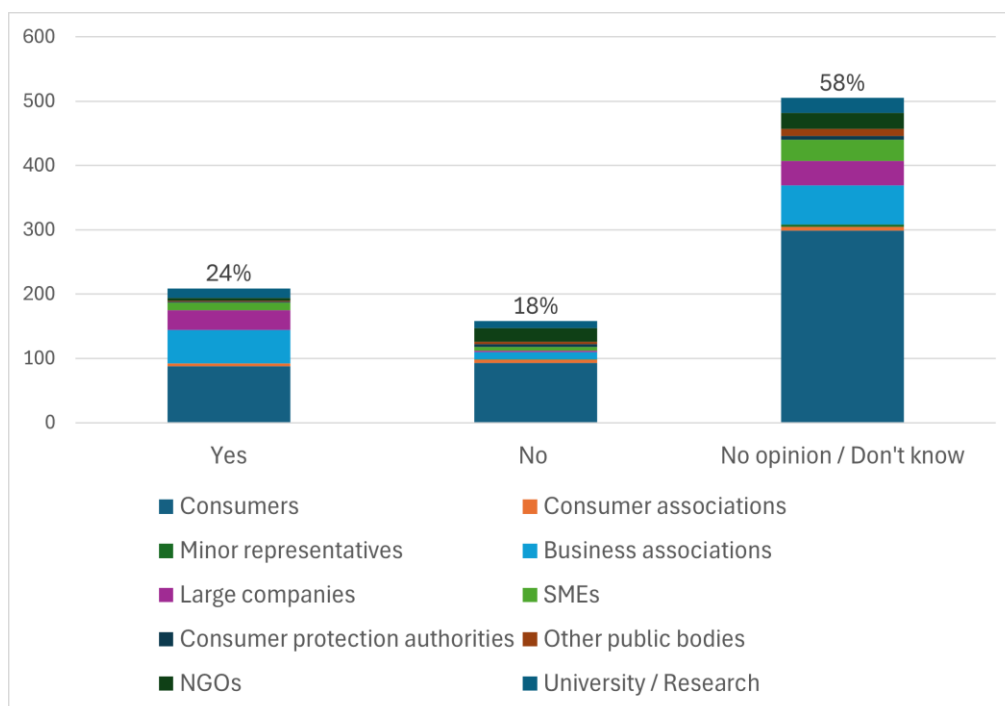
44% of respondents who answered to this question also selected “other” actions they support (200 out of 453). Suggestions from business associations include, among others, streamlining and simplification of the existing legislation, reduction of information requirements, simplification of repeated transactions, and avoiding complexity and duplication of rules. Consumers similarly emphasise harmonisation and simplification of the existing legal framework.

3.8.3. Digital only consumer information

Respondents to the public consultation were asked whether they think certain types of information should be provided to consumers solely in digital form. About a quarter of those who replied to this question (24%, 210 out of 878) agreed with this.

Among the various stakeholder groups, some business associations referred to the Digital Product Passport. Some consumers raised issues regarding the accessibility of information.

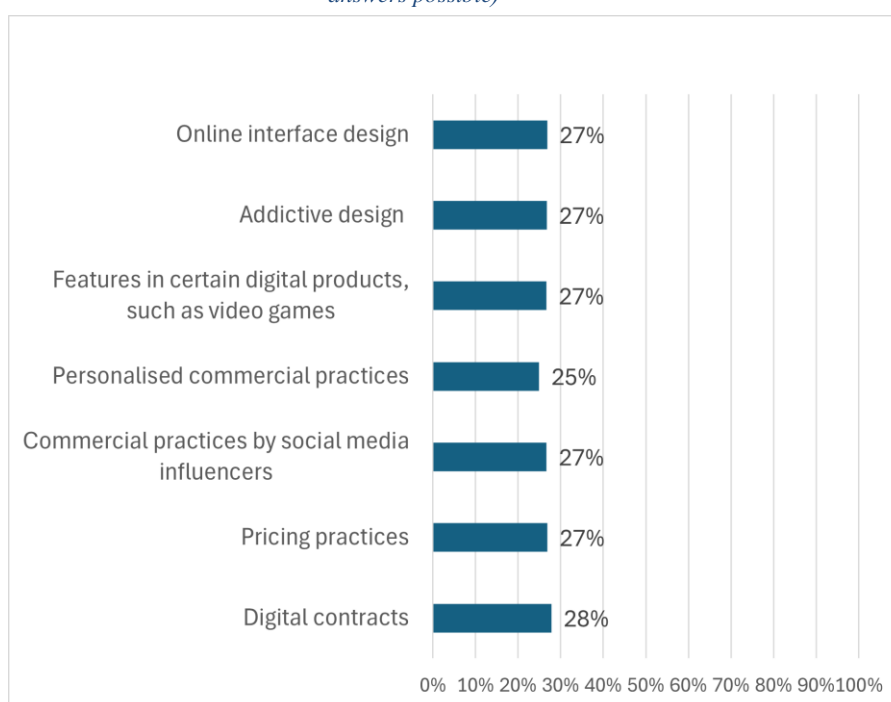
Figure 19: Overview of answers to the question: “Do you think certain types of information should be provided to consumers solely in digital form?”



3.8.4. Areas of EU action to reduce single market fragmentation

Respondents were asked to select from a list those areas in which EU actions would reduce single market fragmentation that may currently exist due to diverging national laws or interpretations by national courts or authorities. Each area was selected by 25% (432 out of 1733) to 28% (482 out of 1733) of respondents.

Figure 20: Overview of answers to the question: “In your view, in which of the following areas would EU actions reduce single market fragmentation that may currently exist due to diverging national laws or interpretations by national courts or authorities? (Multiple answers possible)”



Stakeholders from university/research organisations (52%-71%, 27-37 out of 52) and NGOs (55%-66%, 29-35 out of 53) see a particular high potential for EU actions to reduce single market fragmentation across all listed areas. At least half of the responding consumer associations selected each of the areas, except personalised commercial practices. Large companies (9%-19%, 8-16 out of 85) and business associations (8%-21%, 12-30 out of 144) see lower potential for EU actions to reduce single market fragmentation across all listed areas. SMEs have more positive views (19%-33%, 10-17 out of 52).

3.8.5. Request for clarifications, concerns, suggestions with specific EU consumer protection legislation

All respondents were asked, in an open-field question format, whether they have suggestions, requests for clarification or concerns with regard to the interaction of cross-cutting EU consumer protection legislation with other existing EU legislation. Overall, 293 replies were submitted to this question. Of these, most replies were from consumers (99), business associations (75) and large companies (35).

Several of the 75 answers from business associations emphasise overlaps with existing horizontal and sector-specific legislation and warn against the duplication of obligations. Answers also ask for harmonisation and ask for comprehensive EU guidance on the interaction of the EU consumer law with other legislation.

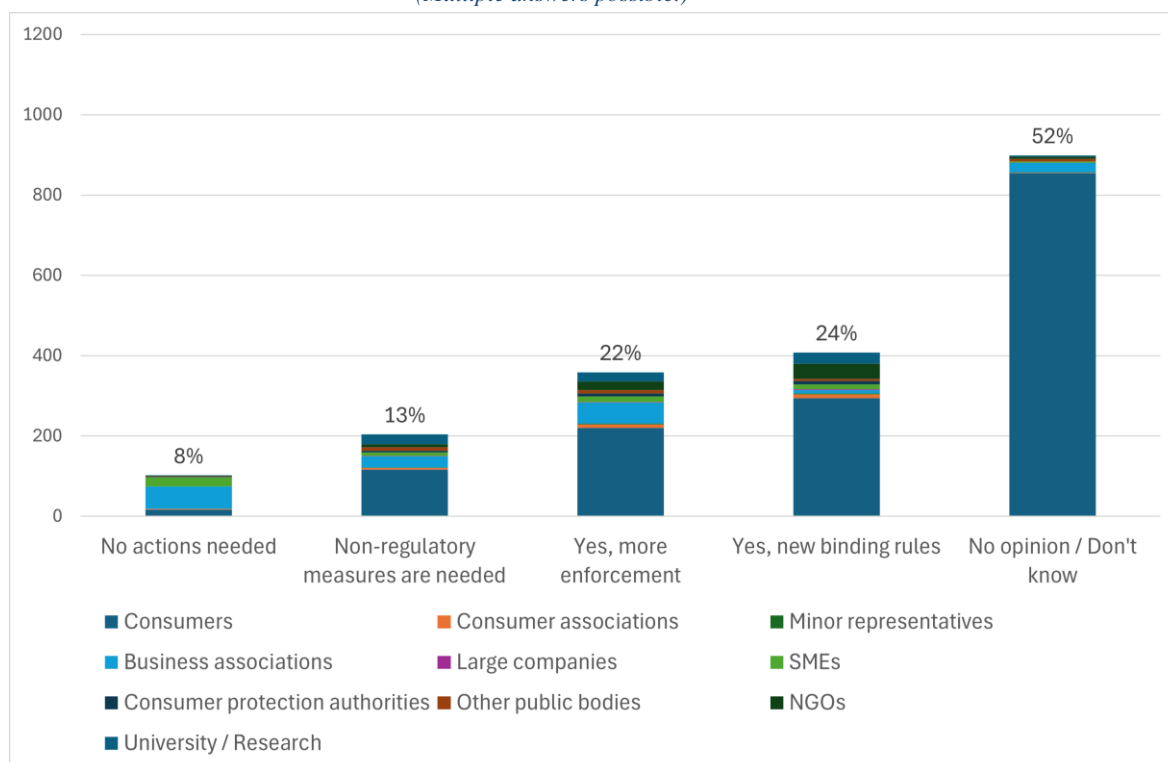
Several of the 99 answers from consumers raise questions regarding the interaction with other EU laws, in particular DSA and DMA, and ask for effective consumer protection. Some answers highlight issues in relation to the ownership and continued use of video games.

3.9. Horizontal issues

3.9.1. Need for further EU action

Respondents to the public consultation were asked whether, in addition to the above, they think that any further EU action should be taken to improve the protection of consumers and the functioning of the Single Market in the digital environment in a more general way. A share of 24% (415 out of 1733) see the need for new binding rules, 22% (382 out of 1733) for more effective enforcement, and 13% (224 out of 1733) for non-regulatory measures. Less than 1 in 10 (8%, 146 out of 1733) think that no action is needed. More than half of respondents (52%, 909 out of 1733) stated that they do not know or have no opinion on this issue.

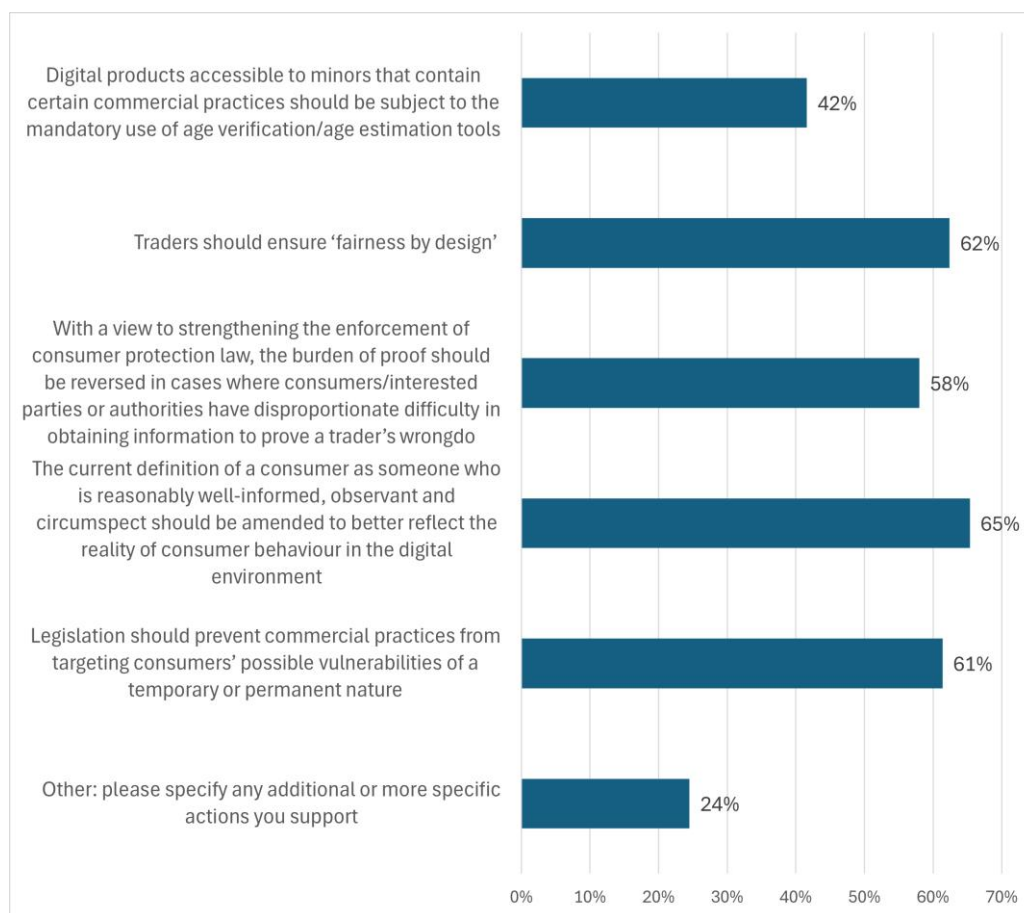
Figure 21: Overview of answers to the question: “In addition to the above, do you think that any further EU actions should be taken to improve the protection of consumers and the functioning of the Single Market in the digital environment in a more general way? (Multiple answers possible.)”



3.9.2. Support for actions to address the issues

Respondents who stated that some further EU action is needed were asked to select actions they support from a list (678 responses). A majority of them are supporting the measures, from 58% (393 out of 678) to 65% (443 out of 678), except for the mandatory use of age verification/age estimation tools in specific digital products accessible to minors, which received 42% (282 out of 678) of support.

Figure : Overview of answers to the question: “Please select the actions you support: (Multiple answers possible)” (horizontal issues)



Among respondents who are supporting EU actions from the various stakeholder groups, the majority of responding consumer associations supported all measures. Support from consumer protection authorities ranges from 45% (5 out of 11) to 64% (7 out of 11). The majority of responding NGOs and consumers support all measures, with the exception of the mandatory use of age verification/age estimation tools in specific digital products, for which support was lower. By contrast, this is the most supported measure amongst responding university/research organisations, with a support rate of 77% (36 out of 47). Support for all horizontal measures is low amongst business associations, ranging from 12% (8 out of 66) to 17% (11 out of 66). Support rates amongst companies were highest amongst responding SMEs, ranging from 42% (11 out of 26) to 62% (16 out of 26).

A share of 24% of respondents who believe EU action is needed on this issue (166 out of 678) also selected “other” actions they support. Consumers notably mention transparency in the user agreements and the contracts with traders, as well as issues regarding the ownership of digital products, such as video games.

3.9.3. Further suggestions for improving consumer protection and enforcement

All respondents were asked, in an open-field question format, whether they have further suggestions for improving consumer protection and enforcement in the digital sphere and contributing to a level playing field for traders in the EU and whether they have specific suggestions concerning the protection of minors, resulting in 415 responses.

Among other issues, several consumers support ensuring that they retain access to digital products they have purchased (such as video games and software), even after official support ends. Many calls for robust protection of minors in the digital environment.

Some answers from consumer associations, businesses associations and businesses highlight the need for more effective enforcement of consumer protection.

Several answers from business associations also call for avoiding duplication and unnecessary complexity and ensuring a level playing field and fair competition. Some businesses also note that existing EU laws (such as the DSA, DMA, GDPR, UCPD, and CRD) already provide a high level of consumer protection and harmonisation should be a priority.

3.10. Additional submitted documents

Respondents were also given the opportunity to attach a file to complement their contribution. 223 availed themselves of this possibility.

4. ANALYSIS OF THE CAMPAIGN

In addition to the responses summarised above, 1594 consumers' responses seem to belong to a large-scale campaign. Most consumer responses come from the Netherlands (64%, 1016 out of 1594), from Belgium (10%, 163 out of 1594), and from Germany (10%, 160 out of 1594). In line with the European Commission's Better Regulation guidelines and toolbox, the results of this campaign are presented separately.

All replies from consumers appearing to be part of the campaign (100%, 1594) support new binding rules on dark patterns, addictive design, specific features in digital products, such as video games, unfair personalisation and influencer marketing. Respondents in the campaign had no opinion on unfair pricing-related marketing, issues with digital contracts, simplification measures or horizontal issues.

On specific topics, respondents in the campaign support actions on all dark patterns. For addictive design, they support the action of switching off addictive design features by default. For specific features in digital products, they support measures on expressing the price of goods in games also in real-world currency, more transparency on the odds of winning, and opt-out from certain features in video games. For unfair personalisation practices, they support measures on more control of consumers over personalised advertising, restriction of personalised advertising using information about vulnerabilities, prohibition of personalised advertising targeting minors, restriction of personalised pricing using personal data/profiling. Finally, for influencer marketing, they support all actions.